

**UTILITY PATENT APPLICATION
TRANSMITTAL UNDER 37 C.F.R. §1.53(b)**

ASSISTANT COMMISSIONER FOR PATENTS
Box **PATENT APPLICATION**
Washington D.C. 20231

Case Docket No.: SPRX-023USC4

17410 U.S. PTO
10/603597
06/26/03

Sir:
Transmitted herewith for filing is the patent application of
INVENTOR OR APPLICATION IDENTIFIER: Mark L. FAUPEL, Shabbir B. BAMBOT, Tim HARRELL, and Anant AGRAWAL
FOR: MULTI-MODAL OPTICAL TISSUE DIAGNOSTIC SYSTEM
Enclosed are:

1. ☒ 55 pages of specification, claims, abstract
2. ☒ 53 sheets of FORMAL drawings.
3. ☒ 3 pages of Declaration & Power of Attorney (copy from a prior application).
☒ Incorporation By Reference-The entire disclosure of the prior application is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
☒ This is a Continuation of prior application No. 09/786,781, filed on March 9, 2001, entitled **MULTI-MODAL OPTICAL TISSUE DIAGNOSTIC SYSTEM**.
4. ☐ An Information Disclosure Statement and PTO 1449 Form are submitted herewith.
5. ☐ Cancel claims _____.
6. The filing fee is calculated on the basis of the claims existing in the prior application as amended at 5 above:

CLAIMS AS FILED					
For	No. Filed		No. Extra	Rate	Fee
Total Claims	37	- 20	17	X \$9.00	\$153.00
Indep. Claims	4	- 3	1	X \$42.00	\$42.00
Multiple Dependent Claims (If applicable) add \$140.					
BASIC FEE					\$375.00
TOTAL FILING FEE					\$570.00

7. ☐ Preliminary Amendment is enclosed.
8. ☒ Applicant claims Small Entity status.
- 9a. ☒ A check in the amount of \$570.00 (Check # 9713) is attached.
- 9b. ☐ Please charge my Deposit Account No. 16-0607 in the amount of \$____. A duplicate copy of this sheet is enclosed.
- 9c. ☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 16-0607. A duplicate copy is enclosed.

☒ Any additional filing fees required under 37 C.F.R. 1.16.
- 10a. ☒ The Commissioner is hereby authorized to charge fees under 37 C.F.R. 1.16 and 1.17 which may be required, including any extension of time fees to maintain the pendency of the parent application No. _____ or credit any overpayment to Deposit Account No. 16-0607.
- 10b. ☒ Authorization under 37 C.F.R. §1.136(a)(3).

11. ☒ Amend the specification by inserting before the first line the sentence:

--This application is a Continuation of Application No. 09/786,781 filed March 9, 2001, which claims priority to PCT/US99/20646, filed September 10, 1999, which published on March 23, 2000 with Publication No. WO 00/15101 in the English language and which claimed priority to U.S. Provisional Application Nos. 60/099,875 filed September 11, 1998 and 60/143,579 filed July 13, 1999.--

12. ☐ Priority of Application Serial No. _____ filed on _____, in _____ is claimed under 35 U.S.C. 119. The certified priority document(s) were filed in Serial No. _____ on _____.

13. ☒ The prior application is assigned of record to SpectRx, Inc. at Reel 011741, Frame 0160.

14. ☒ The power of attorney in the prior application is to:

FLESHNER & KIM, LLP

15. ☒ Two (2) return postcards.

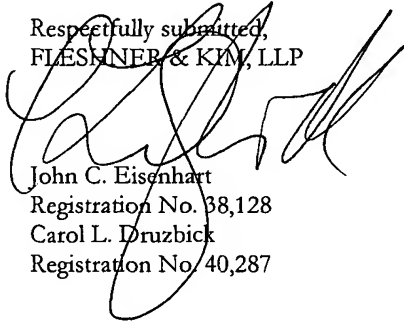
☒ Stamp & Return with Courier.

☒ Prepaid Postcard-Stamped Filing Date & Returned with Unofficial Serial Number.

16. ☒ Also enclosed:

17. ☒ A petition, fee and response has been filed to extend the term in the pending prior application until June 30, 2003.

Respectfully submitted,
FLESHNER & KIM, LLP


John C. Eisenhart
Registration No. 38,128
Carol L. Druzbeck
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Date: June 26, 2003

Docket No.: SPRX-023USC1

PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Mark L. FAUPEL, Shabbir B. BAMBOT, Tim HARRELL, and Anant AGRAWAL

Serial No. Continuation of 09/786,781

Filed: June 26, 2003

For: MULTI-MODAL OPTICAL TISSUE DIAGNOSTIC SYSTEM

**AUTHORIZATION TO TREAT A REPLY AS INCORPORATING
AN EXTENSION OF TIME UNDER 37 C.F.R. §1.136(a)(3)**

Commissioner for Patents
Alexandria, Virginia 22313-1450

Sir:

The U.S. Patent and Trademark Office is hereby authorized to treat any concurrent or future reply that requires a petition for an extension of time under this paragraph for its timely submission, as incorporating a petition for extension of time for the appropriate length of time under 37 C.F.R. §1.136(a)(3). The U.S. Patent and Trademark Office is hereby authorized to charge all required extension of time fees to our Deposit Account No. 16-0607, if such fees are not otherwise provided for in such reply. A duplicate copy of this sheet is enclosed.

Respectfully submitted,
FLESHNER & KIM, LLP

John C. Eisenhart
Registration No. 38,128
Carol L. Druzick
Registration No. 40,287

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